REMARKS

In response to the Office Communication mailed May 29, 2008 and the Advisory Action mailed October 3, 2008 as entered in the above-captioned matter, Claims 1-7 and 9-12 were rejected under 35 U.S.C. §103(a) given Nakamura et al. (U.S. Patent Publication No. 2003/0167466) ("Nakamura") in view of U.S. Patent No. 5,583,560 ("Florin") and claims 8 and 13 were rejected under 35 U.S.C. §103(a) given Nakamura in view of Florin and Sai et al. (U.S. Patent No. 6,822,661) ("Sai"). Based on the foregoing amendments, and the following remarks, the Applicant respectfully requests allowance of claims 1-13 pending in the application.

The Applicant has amended claims 1 and 9. Support for these amendments to claims 1 and 9 can be found throughout the application and, in particular, at paragraphs [0030]-[0042].

Rejections under 35 U.S.C. §103(a)

Claims 1-7 and 9-12 were rejected under 35 U.S.C. §103(a) given Nakamura in view of Florin. As clearly shown in Applicant's FIGS. 3-5, the Applicant provides for a plurality of three dimensional objects where each of the objects corresponds to a different time, and where each of the objects displays a plurality of characterizing descriptors corresponding to that time. This feature of the Applicant's invention is also discussed in paragraphs [0030]-[0042]. The Applicant also provides for a browsing and selection interface in which the characterizing descriptors displayed on each three dimensional object may be scrolled or paged in response to user input, and in which the characterizing descriptors displayed on each three dimensional object may be scrolled or paged through independently of the characterizing descriptors displayed on any other of the plurality of three dimensional objects. This feature of Applicant's invention is also shown in Applicant's FIG. 3 and discussed in paragraphs [0034-0042].

For example, in paragraph [0038], the Applicant describes an operation of the invention in which the user provides input that causes an area of focus to move up or down,

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respectively, to a next adjacent segment on the same cylinder. The Applicant further describes a scenario in which there may be more program options (i.e, characterizing descriptors) available for a given time period than can be reasonably presented at once on the display. When the user provides continued instructions to move the area of focus upward or downward, the area of focus will reach the top or bottom of that cylinder. Providing an instruction to further move the area of focus beyond the top or bottom of that cylinder will cause that cylinder to appear to rotate and move new program options into view. The Applicant's invention therefore provides for a browsing and selection interface in which a user may selectively scroll through characterizing descriptors corresponding to one time, while the characterizing descriptors corresponding to other times remain static (*i.e.* do not scroll).

      This is clearly different from Nakamura and Florin. Nakamura and Florin do not disclose a plurality of three dimensional objects, each corresponding to a different time. Moreover, Nakamura and Florin do not disclose that characterizing descriptors corresponding to one time may be scrolled or paged independently from the characterizing descriptors corresponding to another time. Rather, Nakamura discloses that all times and characterizing descriptors are displayed on a single cylinder (see Nakamura Fig. 3). Moreover, Nakamura does not disclose scrolling or paging as a method of browsing and selecting selectable items of data. Therefore, there is no disclosure in Nakamura and Florin of a browsing and selection interface that provides for scrolling through characterizing descriptors displayed on 3-dimensional objects, where each object corresponds to a different time and where each object may be independently scrolled.

      These differences are well set forth in both independent claims 1 and 9. For example, claim 1, as amended, reads in pertinent part, a "browsing and selection interface is depicted as a plurality of three dimensional objects, wherein each of the plurality of three dimensional objects corresponds to a different time and displays a plurality of characterizing descriptors corresponding to that time" and "responding to user input by scrolling a display of the plurality of the characterizing descriptors for each of a plurality of the discrete selectable

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items wherein the characterizing descriptors displayed on each of the plurality of three dimensional objects may be scrolled independently of the characterizing descriptors displayed on the other three dimensional objects."

Claims 2-8 and 10-13 which have been rejected under 35 U.S.C. §103(a), are ultimately dependent on one of claims 1 and 9, which claims have been shown to be allowable above. While the Applicant believes that other arguments are available to highlight the allowable subject matter presented in various of the dependent claims, the Applicant also believes that the comments set forth herein regarding the allowability of the independent claims are sufficiently compelling to warrant present exclusion of such additional points for the sake of brevity and expedited consideration.

Conclusion

There being no other objections to or rejections of the claims, the Applicant respectfully submits that claims 1-13 may be passed to allowance.

Respectfully submitted,

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